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5 IN THE UNITED STATES DISTRICT COURT
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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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9 IN RE ACCURAY, INC. SHAREHOLDER
10 DERIVATIVE LITIGATION

No. 09-CV-5580 CW

11 ORDER DISMISSING
12 CASE
13 _____ /
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15 This case involves a shareholder derivative complaint. On
16 August 31, 2010, this Court granted Defendants' motion to dismiss,
17 and granted Plaintiffs leave to file an amended complaint. Docket
18 No. 53. On September 27, 2010, Plaintiffs filed a notice of their
19 intent not to file an amended complaint. Docket No. 58. For this
20 reason, the case is dismissed. The case management conference
21 scheduled for October 19, 2010 at 2:00 pm is vacated. The Clerk
22 shall enter judgment for Defendants, who may recover their costs
23 from Plaintiffs.

24 IT IS SO ORDERED.
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26 Dated: 10/6/2010



27 CLAUDIA WILKEN
28 United States District Judge